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November 29, 2006

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of the Reallocation of 30 MHz of 700 MHz Band Spectrum
(747-762/777-792 MHz) From Commercial Use, RM-11348

Dear Chairman Martin:

On April 27, 2006, Cyren Call Communications Corporation ("Cyren Call") filed a Petition for Rulemaking with the Commission seeking reallocation of 30 MHz of spectrum in the 700 MHz band (747-762/777-792 MHz) to develop a nationwide public safety broadband communications network. Cyren Call contemplates that a Public Safety Broadband Trust would manage the administration and oversee construction of the network. Although the Commission dismissed Cyren Call's Petition without prejudice, it left the above-captioned docket open for the submission of comments.¹ The Cyren Call petition represents one of several recent submissions to the Commission calling for additional spectrum resources to be made available to America's public safety organizations for support of advanced broadband communications and network interoperability. The International Municipal Signal Association ("IMSA")² supports efforts to develop an additional public safety broadband spectrum allocation and strongly encourages the Commission to consider fully the proposals before it in order to expeditiously address the growing demands of public safety organizations for advanced broadband communications technologies.

Ten years ago, the Public Safety Wireless Advisory Committee ("PSWAC"), in its Final Report to the Commission, detailed the significant spectrum shortfall and lack of interoperability

¹ DA 06-2278 (Nov. 3, 2006).

² IMSA is a non-profit organization dedicated to the development and use of electric signaling and communication systems in furtherance of public safety. IMSA's 10,000 members include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the activities pertaining to electrical engineering, including the public safety use of radio technology. Together with the International Association of Fire Chiefs, Inc., IMSA is recognized by the Commission as one of the four public safety frequency coordinating committees, and has responsibility for the frequencies assigned exclusively for Fire and Emergency Medical Services as well as the Public Safety Pool channels.

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faced by public safety organizations.³ PSWAC cautioned that immediate measures were necessary to alleviate public safety spectrum scarcity and promote interoperability so as to ensure public safety's ability to adequately discharge its obligations to protect life and property in a safe, efficient, and cost-effective manner.

To this day, significant spectrum shortages still beset public safety organizations; and lack of interoperability between and among public safety organizations and between public safety organizations and non-public safety entities, including commercial entities providing critical infrastructure support to the public safety community, still remains a considerable problem.

Moreover, public safety organizations are increasingly forced to forgo the substantial benefits presented by advanced broadband communications technologies. Such technologies offer a number of promising benefits to public safety organizations including the capability to transmit mission-critical, bandwidth intensive, information to field personnel, including documents, photographs, text messaging and video. Unfortunately, implementation of such systems is constrained by the lack of a reliable, secure public safety broadband spectrum allocation.

IMSA's Board of Directors has adopted a resolution in support of the provision of a spectrum allocation for public safety broadband communications, a copy of which is attached hereto.

The Commission currently has before it a unique, and potentially time-limited, opportunity to address the increasing need for an advanced nationwide public safety broadband communications network. Indicative of the mounting concern over inadequate public safety spectrum resources, several parties, including Cyren Call, have recently advanced creative proposals to address public safety's spectrum concerns and additional proposals may be forthcoming. The Commission has an opportunity to attend to the spectrum needs of public safety organizations before resources are allocated to other uses.

IMSA calls on the Commission to ensure that adequate public safety spectrum is sufficiently allocated in order to ensure public safety access to advanced broadband communications and network interoperability. The Cyren Call proposal sets forth a thoughtful

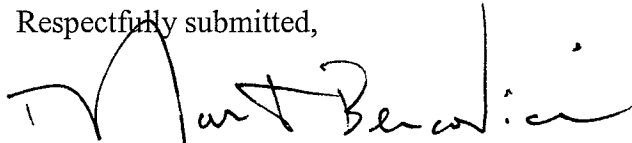
³ See PSWAC, *Final Report of the Public Safety Wireless Advisory Committee to the Federal Communications Commission*, Reed E. Hundt, Chairman, and the National Telecommunications and Information Administration, Larry Irving, Assistant Secretary of Commerce for Communications and Information (September 11, 1996).

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and comprehensive approach to meeting public safety communications requirements, and IMSA urges the Commission to proceed with an examination of the Cyren Call proposal—including the use of a Public Safety Broadband Trust to manage the spectrum allocation and system operations—and pending the outcome of that examination to make such recommendations to Congress as may be necessary to preserve the opportunity to implement an approach such as recommended by Cyren Call.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Martin W. Bercovici". The signature is fluid and cursive, with a large initial "M" and "W".

Martin W. Bercovici
Gregory E. Kunkle
Attorneys for the International Municipal Signal
Association

Attachment

cc: The Honorable Michael J. Copps
The Honorable Jonathan S. Adelstein
The Honorable Deborah Taylor Tate
The Honorable Robert M. McDowell
Kenneth Moran, Acting Chief, Public Safety & Homeland Security Bureau
Marlene H. Dortch, Secretary

RESOLUTION

Provision of a Spectrum Allocation for Public Safety Broadband Communications

WHEREAS, There is an increasing demand for public safety communications capabilities due to the growth of the Nation's cities, towns, and population, and also due to the rapidly expanding information exchange opportunities provided by new technologies which enhance the ability of the public safety agencies to fulfill their responsibilities, and;

WHEREAS, The need for substantial increases in the radio spectrum available to public safety agencies was foreseen in 1996 in the Final Report of the Public Safety Wireless Advisory Committee to the Federal Communications Commission, and;

WHEREAS, One of the technologies holding the most promise to the public safety community is advanced broadband communications, which will enable public safety agencies to provide detailed information to field personnel, such as documents, photographs, text messaging and video, not currently feasible in public safety spectrum.

WHEREAS, Improved communications capabilities must be available not just on a departmental basis or within a political jurisdiction but also to enable full interoperability between and among individual public safety organizations and also between public safety organizations and non-public safety entities, including commercial entities providing critical infrastructure support to the public safety community, for the effective provision of public safety services to promote the protection of life and property, and;

WHEREAS, Improved interoperability must include not only basic voice and data communications but also advanced broadband communications in order to make all relevant information available to all parties in the field of operations for incident response, and;

WHEREAS, The needs of the public safety community for radio spectrum for current and future operational requirements has not been satisfied and current spectrum allocations do not sufficiently meet the growing demands of public safety organizations for advanced broadband communications technologies and services and are not properly structured to support interoperability, and;

WHEREAS, There currently exists an opportunity to provide additional spectrum resources necessary to enable the implementation of advanced broadband communications services for use by the public safety community, prior to those spectrum resources being allocated to and implemented by other users, and;

WHEREAS, currently pending before the Federal Communications Commission are several proposals for the allocation of available spectrum for public safety use, including

broadband nationwide communications networks and interoperability, and additional proposals may be forthcoming:

NOW, THEREFORE, BE IT RESOLVED, that the International Municipal Signal Association, representing the communications interests of state, local and municipal governments, supports an in-depth evaluation, under the auspices of the Federal Communications Commission and to include the opportunity for participation by all stake-holders, to examine the benefits which may be derived from a nationwide spectrum allocation for public safety use of advanced broadband communications technologies and services with full opportunity for interoperability, both between and among public safety organizations and between and among public safety organizations and non-public safety entities, including commercial entities providing critical infrastructure support, and the structural mechanisms appropriate to achieve implementation of such a system or systems, and;

BE IT FURTHER RESOLVED, that the International Municipal Signal Association calls for the United States Congress to recognize the unmet needs of the Nation's public safety agencies for increased radio spectrum to meet critical communications needs, and the benefits of advanced broadband communications technologies in protecting life and property and of full interoperability both between and among public safety departments and organizations and also between and among public safety organizations and non-public safety entities, including commercial services providing critical infrastructure support, and to take such action as may be necessary to preserve the opportunity for the Federal Communications Commission to allocate such spectrum for implementation of a nationwide broadband public safety telecommunications service.

IN WITNESS WHEREOF, the International Municipal Signal Association, by the Executive Committee of the Board of Directors, has adopted the forgoing resolution as of this 26th day of October, 2006.